

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Donald J. DALTON *et al.* Confirmation No.: 5048
Application No.: 10/715,563 Group Art Unit: 3754
Filing Date: November 19, 2003 Examiner: Not Assigned
For: AUTOMATED ICE BAGGING Attorney Docket No.: 81901-4000
APPARATUS AND METHODS

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256), Daniel J. Hulseberg (Reg. No. 36,554), and Jeffrey A. Wolfson (Reg. No. 42,234), of WINSTON & STRAWN LLP (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Patent Docketing, telephone (202) 371-5704; facsimile (202) 371-5950.

An assignment of the entire interest in the above-identified subject application is submitted herewith for recording and a copy is attached.

The undersigned has reviewed this assignment and, to the best of his/her knowledge, title is in the assignee seeking to take action in this application and that he/she is empowered to act on its behalf.

ASSIGNEE: ICE HOUSE AMERICA LLC

Signature: 

Date of Signature: 3/4/04

Typed Name:

Bob Alligood

Position/Title:

President

Address:

345 Mayport Avenue, Suite 3A

Atlantic Beach, Florida 32233

ASSIGNMENT

WHEREAS, each of

Donald J. DALTON, a citizen of the United States, residing at 32 Cherokee Road, Moultrie, Georgia 31768; and

Roy Lavon STRIPLING, a citizen of the United States, residing at 32 Cherokee Road, Moultrie, Georgia 31768,

ASSIGNOR, is an inventor of the invention in **AUTOMATED ICE BAGGING APPARATUS AND METHODS**, for which an application for a Patent of the United States, identified by Winston & Strawn LLP Docket No. 81901-4000:

- ☐ is executed on even date herewith.
- ☒ was filed on November 19, 2003 as Application No. 10/715,563.

WHEREAS, **ICE HOUSE AMERICA LLC**, a Florida corporation, having a place of business at 13698 Bromley Point Drive, Jacksonville, Florida 32225, ASSIGNEE, is desirous of obtaining each inventor's entire right, title and interest in, to and under the said invention and the said application.

NOW, THEREFORE, in exchange for good and valuable consideration to each inventor in hand paid, the receipt of which is hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries other than the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE or, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.


12-15-03
Date

Donald J. Dalton
Donald J. DALTON

STATE OF Georgia)
COUNTY OF Colquitt)

On this 15th day of December, 2003, before me, a Notary Public, personally appeared Donald J. DALTON, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

9/26/04
My Commission Expires

Linda T. Gay
Notary Public
 (OFFICIAL SEAL)
NOTARY PUBLIC, GEORGIA
LINDA T. GAY
COUNTY OF COLQUITT
My Commission Expires Sept 26, 2004

12-15-03
Date


Roy Laven Stripling
Roy Laven STRIPLING

STATE OF Georgia)
COUNTY OF Colquitt)

On this 15th day of December, 2003, before me, a Notary Public, personally appeared Roy Laven STRIPLING, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

9/26/04
My Commission Expires

Linda T. Gay
Notary Public

 (OFFICIAL SEAL)
NOTARY PUBLIC, GEORGIA
LINDA T. GAY
COUNTY OF COLQUITT
My Commission Expires Sept 26, 2004

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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.27(a)(2) - Small Business Concern]

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I hereby declare that I am

- ☒ a primary owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act in behalf of the concern identified below:

ICE HOUSE AMERICA LLC
345 Mayport Avenue, Suite 3A
Atlantic Beach, Florida 32233

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.27(a)(2), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention entitled **AUTOMATED ICE BAGGING APPARATUS AND METHODS** by **Donald J. DALTON** and **Roy Lavon STRIPLING**, described in

- ☐ the specification filed herewith
☒ application no. 10/715,563 filed November 19, 2003
☐ patent no. _____ issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

FULL NAME: _____
ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.27 (g)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to:
WINSTON & STRAWN LLP
Customer No.: 28765

Direct Telephone calls to:
WINSTON & STRAWN LLP
(202) 371-5700

Name of Person Signing: Bob Alligood

Title other than Owner: President

Address of Signer: Ice House America LLC

345 Mayport Avenue, Suite 3A

Atlantic Beach, Florida 32233

Signature:  Date: 3/4/04

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities.